

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

FRANKLIN H. WRIGHT,

No. C 14-0353 RS

Plaintiff,

v.

**ORDER RE SECOND PURPORTED
REMOVAL OF STATE COURT
PROCEEDING**

U.S. COUNCIL ON HOMELESSNESS, et
al.,

Defendants

For the second time in this action, Plaintiff has filed what purports to be notice of removal of a matter pending in San Francisco Superior Court. The state court proceeding appears to have been initiated as a petition for a Civil Harassment Restraining Order against plaintiff, pursuant to California Code of Civil Procedure § 527.6.

As previously noted, in most circumstances filings by parties that do not comply with procedural or substantive requirements will not be acted on by the Court until the issue has become ripe, either when a response has been filed or a hearing date is imminent, or for some other reason. In this instance, however, plaintiff has again submitted a document that could give rise to jurisdictional uncertainty, in the absence of an expedited ruling.

1 Although removal divests the state court of jurisdiction even where it is ultimately
2 determined that a case must be remanded, here plaintiff has neither complied with the procedural
3 requisites for removal nor shown even a colorable claim that removal would be proper. Accordingly,
4 the purported notice of removal is hereby deemed to be of no legal effect, and the San Francisco
5 Superior Court retains jurisdiction of its Case No. CCH 14-575941. A copy of this order shall be
6 provided to the San Francisco Superior Court.

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9 IT IS SO ORDERED.

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11 Dated: 7/17/14


RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE